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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/700,299

10/31/2003

David DiFrancesco

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2690

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7590

11/25/2009

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EXAMINER

CZEKAJ, DAVID J

ART UNIT

PAPER NUMBER

2621

MAIL DATE

DELIVERY MODE

11/25/2009

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/700,299	<b>Applicant(s)</b> DIFRANCESCO, DAVID	
	<b>Examiner</b> DAVID CZEKAJ	<b>Art Unit</b> 2621	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 07 October 2009.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 9-12, 14-23 and 25 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 14-16, 18-23 and 25 is/are allowed.
- 6) ☒ Claim(s) 9-12 and 17 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)         | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)         | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____   | 6) <input type="checkbox"/> Other: _____                          |

## **DETAILED ACTION**

### ***Response to Arguments***

Applicant's arguments with respect to the rejection(s) of the claim(s) have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made as set forth below.

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

1. Claims 9-12 and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Maggioni (20010020933) in view of Ramsay et al. (4757374), (hereinafter referred to as "Ramsay") in further view of Bogdanowicz et al. (2002/0163657), (hereinafter referred to as "Bogdanowicz").

Regarding claim 9, Maggioni discloses an apparatus that relates to a display window (Maggioni: paragraph 0001). This apparatus comprises "a first digital imaging device comprising an electronically addressable flat panel display to display a first and second frame, the first frame being generated from source data of a digital source image and second digital image" (Maggioni: paragraph 0048, wherein the projector produces the digital images), "a control unit coupled to the display being configured to receive video including the first and second

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frames and determine the frames" (Maggioni: figure 1, wherein the control unit is the computer unit), and "a film recorder to record the first and second images displayed on the flat panel display" (Maggioni: paragraph 0048, wherein the camera records the images). However, this apparatus lacks the adjustment as claimed. Ramsay teaches that producing images on prior art imaging systems is a time consuming operation (Ramsay: column 1, lines 20-28). To help alleviate this problem, Ramsay discloses "an adjustment mechanism coupled to the flat panel display and recorder configured to adjust the orientation of the display relative to the recorder" (Ramsay: figure 1; column 3, lines 55-59; column 4, lines 55-59; column 6, lines 1-37). Bogdanowicz teaches that there is a need in the art for a film scanner to produce an output image that still looks like the film image (Bogdanowicz: paragraph 0012). To help alleviate this need, Bogdanowicz discloses "the images displayed at a spatial resolution, color purity, and depth resolution conforming to that of the first full digital image and second full digital image" (Bogdanowicz: figure 1; paragraphs 0037-0040, wherein the digital frames is the digital input). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to take the apparatus disclosed by Maggioni, add the processing taught by Ramsay, and add the images taught by Bogdanowicz in order to obtain an apparatus that helps reduce the time and cost of video conversion systems.

Regarding claim 10, note the examiners rejection for claim 9, and in addition Maggioni discloses "the control unit directs the recorder to open and

close a shutter" (Maggioni: figures 1-2, wherein opening and closing a shutting are known operations of a camera).

Regarding claim 11, although not disclosed, it would have been obvious to encode the data in NTSC (Official Notice). Doing so would have been obvious in order to more easily transmit large amounts of data of limited bandwidth networks.

Regarding claim 12, although not disclosed, it would have been obvious to encode the video in the MPEG format (Official Notice). Doing so would have been obvious in order to more easily transmit large amounts of data of limited bandwidth networks.

Regarding claim 17, note the examiners rejection for claim 9.

***Allowable Subject Matter***

Claims 14-16, 18-23, and 25 are allowed.

***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to DAVID CZEKAJ whose telephone number is (571)272-7327. The examiner can normally be reached on Mon-Thurs and every other Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mehrdad Dastouri can be reached on (571) 272-7418. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Dave Czekaj/  
Primary Examiner, Art Unit 2621